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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
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Arizona Corporation Commission

DOCKETED

FEB 13 2003

DOCKETED BY

UTILITIES DIVISION STAFF,

Complainants,

vs.

LIVEWIRENET OF ARIZONA, LLC,

Respondents,

THE PHONE COMPANY MANAGEMENT
GROUP, LLC,

Respondents,

THE PHONE COMPANY OF ARIZONA JOINT
VENTURE d/b/a/ THE PHONE COMPANY OF
ARIZONA,

Respondents,

ON SYSTEMS TECHNOLOGY, LLC, and its
Principles, TIM WETHERALD, FRANK TRICAMO
and DAVID STAFFORD JOHNSON,

Respondents,

THE PHONE COMPANY OF ARIZONA, LLP,
and its members,

Respondents.

Docket No. T-03889A-02-0796 ✓
T-04125A-02-0796**STAFF REQUEST FOR EXTENSION
OF TIME TO COMPLETE
DISCOVERY AND EXCHANGE
WITNESS LISTS AND EXHIBITS
AND TO PREFILE TESTIMONY**

On October 18, 2002, The Arizona Corporation Commission ("Commission") Utilities
Division ("Staff") filed a complaint and petition for relief against LiveWireNet of Arizona, LLC and

1 The Phone Company Management Group, LLC d/b/a The Phone Company of Arizona Joint Ventures
2 d/b/a The Phone Company of Arizona, On Systems Technology, LLC, and its principals, Tim
3 Wetherald, Frank Tricamo, David Stafford Johnson, and The Phone Company of Arizona, LLP and
4 its members (collectively "Respondents").

5 On January 7, 2003 a pre-hearing was held. In a procedural order dated January 13, 2003, it
6 was ordered that a hearing be scheduled for February 4, 2003 at 10:00 a.m. at the Commission's
7 offices in Phoenix. It was further ordered that all witness lists and exhibits be filed in the Docket and
8 exchanged between parties no later than January 24, 2003, with a copy to the Administrative Law
9 Judge. On January 23, 2003, Staff filed a request for extension of time of one month for both the
10 scheduling of the hearing and the filing of witness' lists and exhibits due to the need to conduct
11 further discovery. On January 24, 2003, Qwest filed in opposition to Staff's request stating that any
12 extension of time would serve to increase the amounts owed to Qwest, while leaving no recourse for
13 disconnection and collection of amounts owed. The Administrative Law Judge granted a short
14 extension for filing of witness lists and exhibits to February 14, 2003, and a hearing date to February
15 24, 2003. For the following reasons, Staff now seeks an extension to March 21, 2003 to file its
16 witness list and exhibits and to file pre-filed testimony.

17 Staff's lead counsel is out of town on a family emergency and will not return until sometime
18 during the week of February 17, 2003. In addition, Staff requires more time for discovery.¹ Finally,
19 given the complexity of the issues raised, Staff believes it would be advantageous to the ALJ and the
20 Commission if testimony was prefiled in this case. In consideration of all these factors, Staff would
21 propose the following schedule:

22	Staff Testimony:	March 21, 2003
23	Company/ Intervenor Testimony:	April 4, 2003
24	Hearing Date:	April 11, 2003

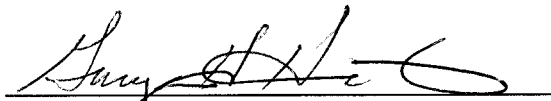
25 Given the above circumstances and so that Qwest is not prejudiced by any extension of time,
26 Staff does not oppose bifurcating the case as originally requested by Qwest and allowing Qwest to
27

28 ¹ At the procedural conference held January 7, 2003, Staff requested at least 30 days for discovery.

1 proceed under the current procedural schedule on its request to disconnect the Phone Company of
2 Arizona for non-payment of Qwest's invoices.

3 RESPECTFULLY SUBMITTED this 13th day of February, 2003.

4 ARIZONA CORPORATION COMMISSION

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13 Original and 13 copies of the foregoing filed
14 this 13th day of February, 2003, with:

15 Docket Control
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19 Copy of the foregoing hand-delivered/mailed
20 this 13th day of February, 2003, to:

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22 Chief Administrative Law Judge
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